

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JASON S. BROOKNER,

Plaintiff,

v.

Civ. No. 10-000639 CG/RLP

SSC, INC., a New Mexico corporation,  
SEAN M. CANTRELL and  
EVANGELINE LUJAN-VIGIL,

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on Plaintiff's Motion for Service by Publication. Plaintiff's counsel avers that personal service by mail has been attempted on Defendant Evangeline Lujan-Vigil and service at her last known business address without success. He further avers diligent efforts were made to locate and serve this Defendant. The Court finds that Plaintiff has complied with N.M.R.Civ.P. 1-004(J).

Plaintiff has submitted a Notice of Publication [Doc. 31-1], and the Court finds this form comports with N.M.R.Civ.P.1-004(K).

The Court finds that service by publication shall be made each week for three consecutive weeks by giving notice of the pendency of the action in a newspaper of general circulation in the county where the action is pending. If the Defendant's last known residence or business address are not in the county where this action is pending, the Court further orders that service by publication shall also be made and published in a newspaper of general circulation in the county which reasonably appears most likely to give the defendant notice of the action. N.M.R.Civ.P. 1-004(K)(1).

Service by publication is complete on the date of the last publication.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Service by Publication [Doc. 29] is granted and Plaintiff may proceed with his Notice of Publication [Doc. 31-1] as stated herein.

IT IS SO ORDERED.



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Richard L. Puglisi  
Chief United States Magistrate Judge